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**Letter dated 26 September 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council**

I have the honour to write to you in your capacity as President of the Security Council for the month of September 2018 to draw the Security Council's attention to the ongoing debate in the House of Commons of the United Kingdom with regard to a bill entitled "Asset-Freezing (Compensation) Bill". The purpose of the bill is to utilize the frozen Libyan assets in the United Kingdom to compensate victims of the Irish Republican Army. The House of Lords of the United Kingdom passed the bill, and the House of Commons scheduled a second reading in the House of Commons. Sponsors of the bill suggest that it would require that frozen Libyan assets in the United Kingdom will remain frozen after the United Nations lifts the sanctions until victims of attacks by the Irish Republican Army are compensated.

In this regard, I would like to inform you that the Presidency Council of the Government of National Accord, the House of Representatives, the High State Council, the Foreign Ministry and eight Libyan political parties have issued separate formal statements expressing their grave concern about the ongoing debate in the House of Commons of the United Kingdom. They reject any legislation aimed at imposing restrictions on Libyan assets to secure compensation or for any other purposes. The statements urge the Parliament of the United Kingdom not to pass such a bill and urge the Government of the United Kingdom to formally oppose the bill, which, if passed, would place the Government of the United Kingdom in breach of its commitments under the Security Council resolutions.

To this end, I would like to underscore the following:

1. Libya has met requirements of Security Council resolution 731 (1992) and cooperated positively with the United Kingdom, as confirmed by the statement forwarded by the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland (S/1995/973, dated 20 November 1995), in which the Government of the United Kingdom expressed satisfaction with the cooperation of Libya. Furthermore, the former Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, Robin Cook, testified before the House of Commons, on 7 July 1999, that the Government of the United Kingdom in 1995 was "generally satisfied with Libya's response and the information it had provided on previous links with the Irish Republican Army" and "regarded the matter as closed", and he did not have a basis on which to seek to reopen it.

2. Security Council resolutions 1970 (2011), 1973 (2011) and 2009 (2011) have frozen assets of individuals and entities, including the Libyan Investment Authority,

and explicitly stated that it is the Council's intention to ensure that assets frozen pursuant to these resolutions shall at a later stage be made available to and for the benefit of the people of Libya.

3. The passing of such a bill is a clear violation of the related Security Council resolution and would place the Government of the United Kingdom in breach of its obligations under Security Council resolutions, especially given that the United Kingdom is a permanent member of the Security Council.

4. The bill does not rule out using the frozen assets to compensate the victims and in so doing would place the Government in breach of its obligations under Council of the European Union Decision (CFSP) 2015/1333 and Council Regulation (EU) 2016/44.

5. Therefore, by using the powers that would be granted by the bill, the United Kingdom would be in breach of its obligations under Security Council resolutions, European Union sanctions regulations and the European Convention on Human Rights and its Protocol.

6. The bill, if passed, will constitute a precedent which will have a severe impact not only on the credibility of the United Kingdom in its international relationships, but also on its economy, future options for investors, and trust. Furthermore, it would be a dangerous precedent that will impact the sovereignty of all States and would undermine the whole international cooperation system, which is governed by legal, ethical and moral rules and trustworthiness.

The Government of National Accord is confident that the Government of the United Kingdom will uphold its responsibility to stop such a bill and will remain committed to the relevant Security Council resolutions as a permanent member of the Security Council.

The Government of National Accord will reserve the right to pursue all necessary means — politically, legally and economically — under international law and, at the same time, seeks the solidarity of all international community members to stop the establishment of such a dangerous precedent.

I kindly request that the present letter be published as a document of the Security Council.

(*Signed*) Elmahdi S. **Elmajerbi**
Ambassador
Chargé d'affaires a.i.